



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

SEP 10 2012

Alicia E. Kirchner
Chief, Planning Division
U.S. Army Corps of Engineers
1325 J Street
Sacramento, CA 95814

Subject: Supplemental Draft Environmental Impact Statement for the Folsom Dam Modification
Project Approach Channel (CEQ# 20120239)

Dear Ms. Kirchner:

The U.S. Environmental Protection Agency (EPA) has reviewed the Supplemental Draft Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act.

The Supplemental Draft EIS was prepared by the Corps to augment the 2007 Record of Decision (ROD) for the Folsom Dam Safety and Flood Damage Reduction Project. EPA has reviewed this document and rated it Environmental Concerns- Insufficient Information (EC-2) (see enclosed "*Summary of Rating Definitions*"). EPA appreciates the additional information regarding the construction of the auxiliary spillway approach channel that was evaluated programmatically in the previous EIS. We continue to urge implementation of aggressive mitigation measures to reduce project-related emissions to the maximum extent feasible.

We commend the Army Corps of Engineers' commitment to use the cleanest on-road vehicles available and the most recent pollution control equipment for all off-road and marine equipment, use of electrical power for all stationary equipment, reduction of haulage miles, and scheduling changes to minimize the overlap of emission producing activities. These emission control measures will be essential to meet Federal General Conformity *de minimis* thresholds and reduce air quality impacts to the greatest extent possible. We recommend that the Supplemental Final EIS and Record of Decision (ROD) include a clear commitment to these project refinements and the list of control measures with their emission reduction data.

Additionally, Table 30 - "Comparison of Mitigated Alternative 2 and Alternative 3 Total Emissions" is unclear. This table is labeled as being in tons/year, but it is also labeled as being "total emissions." The project is anticipated to be constructed over five years. EPA urges the Corps to explain this discrepancy.

Please note that, starting October 1, 2012, EPA Headquarters will not accept paper copies or CDs of EISs for official filing purposes. Submissions on or after October 1, 2012 must be made through EPA's new electronic EIS submittal tool: *e-NEPA*. To begin using *e-NEPA*, you must first register with EPA's electronic reporting site - https://cdx.epa.gov/epa_home.asp. Electronic filing with EPA Headquarters does not change the requirement to submit a hard copy to the EPA Region 9 Office for review.

We appreciate the opportunity to review this Supplemental Draft EIS. Please send a copy of the Supplemental Final EIS to the above address (mail code: CED-2) when it becomes available. If you have any questions, please contact me at 415-972-3521, or contact Stephanie Skophammer, the lead reviewer for this project, at 415-972-3098 or Skophammer.stephanie@epa.gov.

Sincerely, : 133

Kathleen Martyn Goforth

KMG
Kathleen Martyn Goforth, Manager
Environmental Review Office
Communities and Ecosystems Division

Enclosure: Summary of Rating Definitions

SUMMARY OF EPA RATING DEFINITIONS*

This rating system was developed as a means to summarize the U.S. Environmental Protection Agency's (EPA) level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the Environmental Impact Statement (EIS).

ENVIRONMENTAL IMPACT OF THE ACTION

"LO" (Lack of Objections)

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

ADEQUACY OF THE IMPACT STATEMENT

"Category 1" (Adequate)

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640, Policy and Procedures for the Review of Federal Actions Impacting the Environment.

